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June 28, 2024

VIA ECF

The Honorable Judge Nusrat J. Choudhury
United States District Court
for the Eastern District of New York
Courtroom 1040
100 Federal Plaza
Central Islip, New York 11722

Re: *Caccavale, et al. v. Unisys Corporation, et al.*
Case No. 20-cv-00974 (NJC)(ST)

Dear Judge Choudhury:

This Firm represents Unisys Corporation in the referenced matter. We write on behalf of Unisys and Plaintiff Douglas Sorbie. The parties' joint motion for preliminary approval of their settlement, and supporting papers, as well as a stipulation containing various facts [ECF No. 273-6], was filed on Monday, June 24.

As set forth in that motion, the parties have endeavored to address the issues raised in the Court's March 13, 2024 Opinion and Order denying without prejudice the first motion for preliminary approval of the parties' settlement. To this end the parties have, for example (1) retained only those releases of claims the Court found acceptable and removed the releases of claims the Court found to be objectionable; (2) retained the permissible covenant not to sue and removed the covenant not to sue the Court found objectionable; (3) removed the confidentiality clause in its entirety; (4) designated a charity consistent with the goals of the litigation to receive any remaining funds from the settlement; and (4) structured the agreement so that any potential Federal FLSA Settlement Collective members must file a Valid Claim Form and become part of the Federal FLSA Settlement Collective to participate in the settlement even if they had previously filed a Consent to Join form regarding the FLSA claim.

To the extent the Court has any questions regarding the parties' motion or their settlement, they would welcome an in-person conference at the Court's convenience to resolve any such issues.

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Thank you for your consideration.

Respectfully submitted,

/s/ Kenneth W. DiGia

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cc via ECF: All Counsel of Record